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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/727,191	12/03/2003	Joel A. Kubby	D/A1750D	5161	
7590 10/03/2005			EXAMINER		
OLIFF & BER	RIDGE, PLC	CULBERT, ROBERTS P			
P.O. Box 19928			ART UNIT	PAPER NUMBER	
ALEXANDRIA, VA 22320			1763	PAPER NUMBER	

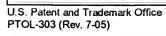
DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)		
10/727,191	KUBBY ET AL.		
Examiner	Art Unit		
Roberts Culbert	1763		

Before the Filing of an Appeal Brief		A 4 11 . 14				
Dororo the rining of all Appear Brief	Examiner	Art Unit				
	Roberts Culbert	1763				
The MAILING DATE of this communication appe	ars on the cover sheet with the d	correspondence add	ress			
THE REPLY FILED 20 September 2005 FAILS TO PLACE TH	IS APPLICATION IN CONDITION	FOR ALLOWANCE.				
 The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires						
	•	e final rejection, whicheve	eris later In no			
event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL						
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS						
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below);						
 (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or 						
(d) They present additional claims without canceling a NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1		jected claims.				
4. The amendments are not in compliance with 37 CFR 1.1	• • • • • • • • • • • • • • • • • • • •	ompliant Amendment	(PTOL-324).			
5. Applicant's reply has overcome the following rejection(s		•	,			
 Newly proposed or amended claim(s) would be a the non-allowable claim(s). 	llowable if submitted in a separate	, timely filed amendm	ent canceling			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:	☑ will not be entered, or b) ☐ wvided below or appended.	rill be entered and an	explanation of			
Claim(s) allowed: Claim(s) objected to:						
Claim(s) rejected: <u>1-22</u> .						
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE						
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good an and was not earlier presented. See 37 CFR 1.116(e). 	ut before or on the date of filing a N d sufficient reasons why the affida	Notice of Appeal will <u>n</u> vit or other evidence i	ot be entered is necessary			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe ry and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).			
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER						
11. The request for reconsideration has been considered but	t does NOT place the application i	n condition for allowa	nce because:			
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).						
13. Other:						
	PA	RVIZ HASSANZAD	EH			
		ISORY PATENT EX				



Continuation Sheet (PTOL-303)

Application No.

Continuation of 3. NOTE: The new issue requiring further consideration and/or search is the limitation of providing a stop to contact the beam before the beam reaches the position of the second stable state and providing a ridge on the stop to reduce stiction between the stop and the beam.

R. Culbert

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n. Collet